



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

August 6, 2018

(Via email and Certified Mail)

CERTIFIED MAIL
NO. 7017 2680 0000 6289 4855

Mr. Raul Juarez
Fleet Maintenance Coordinator
City of Arroyo Grande
1375 Ash Street
Arroyo Grande, California 93420
rjuarez@arroyogrande.org

**SUBJECT: FAILURE TO COMPLY; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT CITY OF ARROYO GRANDE, 1375 ASH STREET,
ARROYO GRANDE**

Dear Mr. Juarez:

As of the date of this letter, the State Water Resources Control Board (State Water Board) has not received a complete response to our May 25, 2018 Notice of Violation (NOV)(attached). You are directed to correct the ongoing violations identified in the NOV and submit compliance documentation to the State Water Board and San Luis Obispo County Environmental Health Services within ten (10) days from the date of this letter.

Please send all compliance documentation to the following:

State Water Board
Ms. Rebecca Green
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
rebecca.green@waterboards.ca.gov

Local CUPA
Ms. Tricia Atkins
Environmental Health Specialist
San Luis Obispo County Environmental
Health Services
P.O. Box 1489
San Luis Obispo, California 93406
tatkins@co.slo.ca.us

Failure to comply with this notice may result in an enforcement action by the State Water Board. The State Water Board reserves the right to bring an action against the owner and/or operator of the tank(s) in violation, or it may recommend that San Luis Obispo County Environmental Health Services pursue enforcement, or San Luis Obispo County Environmental Health Services may elect to pursue enforcement independently.

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

Attachment: May 25, 2018, Notice of Violation

cc: *(via email only)*

Mr. Bill Robeson
Director of Public Works
City of Arroyo Grande
brobeson@arroyogrande.org

Mr. Marcus Garcia
Compliance Coordinator
B&T Service Station Contractors
marcus@btssc.com

Mr. Aaron Labarre
Supervising Environmental Health Specialist
Hazardous Materials Program
San Luis Obispo County Environmental
Health Services
alabarre@co.slo.ca.us

Ms. Tricia Atkins
Environmental Health Specialist
Hazardous Materials Program
San Luis Obispo County Environmental
Health Services
tatkins@co.slo.ca.us

State Water Resources Control Board

May 25, 2018

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7017 2680 0000 6289 4770

Mr. Raul Juarez
Fleet Maintenance Coordinator
City of Arroyo Grande
1375 Ash Street
Arroyo Grande, California 93420
rijuarez@arroyogrande.org

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT CITY OF ARROYO GRANDE, 1375 ASH STREET,
ARROYO GRANDE**

Dear Mr. Juarez:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on May 11, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain Facility Information Form – In CERS, on the facility information form, the financial responsibility mechanism section needs to be updated to accurately reflect the funding mechanism being used.	All	May 11, 2018	Ongoing	23 CCR 2711(a)
2	Failure to Maintain Tank Information Forms – In CERS, the tank information form lists steel as the tank's secondary containment; however, fiberglass reinforced plastic was observed at the time of inspection; the form does not indicate that a striker plate is installed, it does not list a form of corrosion protection; and for tank 1A it does not list the installation date.	All	May 11, 2018	Ongoing	23 CCR 2711(a)

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No.	Violation	Tank	Start Date	Stop Date	Regulation
3	Failure to Maintain Monitoring Plan – In CERS for both tanks, the tank monitoring section lists "yes" to automatic tank gauging (ATG) and "other monitoring," which indicates visual monitoring is done weekly; the pipe monitoring section lists both MLLD and ELLD with no model and manufacturer information; it also lists "yes" to visual pipeline monitoring, which indicates it is performed daily; the recordkeeping section does not indicate equipment maintenance records are kept; the tank 1A monitoring plan under dispenser containment (UDC) monitoring section lists continuous monitoring with a 208 sensor; however, a float/chain assembly was observed at the time of inspection.	All	May 11, 2018	Ongoing	H&SC 25286(a); 23 CCR 2632(d)(1), 2711(a)(9)
4	Failure to Maintain Release Response Plan – The UST Response Plan observed at the time of inspection indicated a retired employee as the responsible person.	All	May 11, 2018	Ongoing	23 CCR 2632(d)(2)
5	Failure to Maintain Site Map – An approved site map was not available in CERS or onsite at the time of the inspection.	All	May 11, 2018	Ongoing	23 CCR 2711(a)(8)
6	Failure to Maintain Financial Responsibility – The Certificate of Financial Responsibility indicates "financial letter" as the mechanism type; however, an approved mechanism found in the federal code must be listed. The supporting documents, such as the letter from the chief financial officer, must be updated annually and signed by the chief financial officer or guarantor.	All	May 11, 2018	Ongoing	H&SC 25292.2; 23 CCR 2711(a)(11)
7	Failure to Maintain Monitoring or Testing Records Onsite – The 2017 line leak detector (LLD) test record for the diesel tank was not available onsite at the time of inspection.	Diesel	May 11, 2018	Ongoing	H&SC 25293; 23 CCR 2712(b)
8	Failure to Monitor Product Piping – The sensor in the diesel fill/turbine sump was not in a vertical position and not on the correct side of the sump to detect a leak at the earliest opportunity.	Diesel	May 11, 2018	Ongoing	23 CCR 2630(d)

No.	Violation	Tank	Start Date	Stop Date	Regulation
9	Failure to Tag Monitoring Equipment – The following monitoring equipment did not have a current certification tag affixed: the UDC monitoring equipment, the LLDs, the turbine sump sensors, and the annular space sensor for the split tank.	All	May 11, 2018	Ongoing	23 CCR 2638(f)
10	Failure to Perform Designated Operator (DO) Inspections – The December 2017 monthly DO inspection was not conducted.	All	December 1, 2017	December 31, 2017	23 CCR 2715(c)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and San Luis Obispo County Environmental Health Services within sixty (60) days from the date of this letter. Have your DO make specific notations in the next monthly DO report indicating the ongoing violations have been corrected. The monthly DO report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

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State Water Resources Control Board
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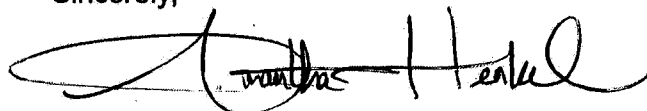
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If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: See next page.

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